

NORTH ANDOVER BOARD OF HEALTH
REGULATIONS FOR SUNTANNING ESTABLISHMENTS
ADOPTED APRIL 18, 1991

Under the authority of Chapter 111, section 31, of the Massachusetts General Laws, the Board of Health has voted to adopt the following regulations, to be effective on date of publication:

Definitions

Suntanning Establishment - means any place at which exposure to ultraviolet radiation is available for hire for aesthetic or therapeutic purpose, excepting hospitals, physicians' offices, and medical clinics.

Tanning Booth - means any enclosed or semi-enclosed structure (whether vertical or horizontal) or equipment containing a lamp or lamps which produce ultraviolet radiation in the wavelength interval of 180 to 400 nanometers.

Operator - means any person who (a) alone or jointly or severally with others owns a suntanning establishment; or (b) has care, charge, or control of a suntanning establishment as agent or manager for the owner or as an independent contractor.

"Type A" Ultraviolet Lamps - means lamps which emit radiation in the wavelength interval or 320 nm to 400 nm and do not emit more than 2% radiation in the range of 260 nm to 320 nm.

1. Only "Type A" ultraviolet lamps may be used in suntanning establishments.
2. The maximum temperature inside a tanning booth shall at no time exceed 100 degrees Fahrenheit.
3. Booths shall be designed to have enough strength and rigidity to resist the stress of use and to withstand the impact of a falling person.
4. Physical aids or markers shall be present to locate and position the user in the booth.
5. Lamps shall be surrounded by physical barriers to prevent a person from being cut, shocked, burned, or otherwise injured by falling into or bumping against the lamps. At no time shall the temperatures of said barriers exceed 12 degrees Fahrenheit.
6. Doors to tanning booths shall open outwardly and be easily opened from the inside. Doors shall be capable of being opened from the outside in case of emergency.

7. All booths shall be wired in conformance with the Massachusetts Electrical Code and other applicable standards. A ground fault protector shall be incorporated into the circuit for each booth.
8. Exposure time shall be controlled by the operator of the establishment. The maximum allowable exposure time to an energized lamp shall not exceed twenty-seven (27) minutes in any one day. Timers shall have an accuracy of + 10% of any selected timer interval and shall shut off automatically.
9. A switch shall be incorporated into each tanning booth so that users may turn off the lamps at any time during the exposure interval.
10. The operator of the sun-tanning establishment shall, for the use of all patrons provide protective eye-wear which protects eyes from ultraviolet radiation and allows adequate vision.
11. The operator shall provide, for the use of all patrons, disposable heavy paper mats on which to stand for protection against "Athlete's Foot" or other fungi. These mats shall be replaced after each use of the tanning booth.
12. All sun-tanning booths and protective eye-wear shall be thoroughly cleaned and sanitized by the operator after each use.
13. Separate toilet facilities shall be provided for each sex.
14. Separate changing rooms shall be provided for each sex if booths are not designed with integral changing areas.
15. The operator shall provide at least one (1) standard Red Cross 24-unit first aid kit or its equivalent, and at least one standard cot (may be folding) and a blanket on the premises.
16. A tanning facility shall give each customer a written statement of warning and shall post notice in large print in a conspicuous place in every area in which a tanning device is used. Said notice shall be at least eight and one-half inches wide by eleven inches long and printed in white on a red background. Said statement and notice shall contain the following information in substantially the following form:

"DANGER" - ULTRAVIOLET RADIATION.

1. Follow instructions.
2. Avoid too frequent or lengthy exposure. As with natural sunlight, exposure to a sun-lamp may cause eye and skin injury and allergic reaction. Repeated exposure may cause chronic damage characterized by wrinkling, dryness, fragility, bruising of the skin and skin cancer.

3. Wear protective eye-wear. FAILURE TO USE PROTECTIVE EYE-WEAR MAY RESULT IN SEVERE BURNS OR LONG TERM INJURY TO THE EYES.
4. Ultraviolet radiation from sun-lamps aggravates the effects of sun. Do not sunbathe before or after exposure to ultraviolet radiation.
5. Abnormal or increased skin sensitivity or burning may be caused by certain foods, cosmetics or medications, including but not limited to, tranquilizers, diuretics, antibiotics, high blood pressure medication, birth control pills and skin creams. Consult a physician before using a sun-lamp if you are taking medication, have a history of skin problems, or believe you are especially sensitive to sunlight. Pregnant women or women on birth control pills who use a tanning device may develop discolored skin.
6. IF YOU DO NOT TAN IN THE SUN YOU WILL NOT TAN FROM USE OF THIS DEVICE. Use of a tanning device does not provide substantial protective base against the effects of the sun.
17. Each time a person uses a tanning facility, or each time a person executes or renews a contract to use a tanning facility he shall sign a written statement acknowledging that he has read and understood such warnings.
18. No person fourteen years of age or older but less than eighteen years of age shall use a tanning device without the prior written consent of a parent or legal guardian who shall indicate therein that he has read and understood the warnings given by the tanning facility. No person under fourteen years of age shall use a tanning device unless accompanied by a parent or legal guardian.
19. The following signs at least eight and one-half inches wide by eleven inches long and printed on a white background shall be posted inside or on the doors of the tanning booths:
 - "WARNING" - Protective eye-wear must be worn during use of tanning booth.
 - "WARNING" - Do not remove protective eye-wear while lamps are

energized.

- 20: A tanning facility shall at all times during operating hours have an operator present who is sufficiently knowledgeable in the correct operation of the tanning devices used at the tanning facility to be able to inform and assist each customer in the proper use of the tanning devices and to provide sanitized protective eye-wear and towels. No person shall use a tanning device without such protective eye-wear.

APPLICATION OF PATRONS

21. Before a patron is allowed to use the tanning facilities, he must first fill out and sign an application form supplied by the operator, which includes as a minimum the following questions (if the answer to E, F, G, or H is affirmative, patron may not use tanning facilities without physician's written orders): applications must be kept on file for a period of at least one year;
- A. Name
 - B. Address
 - C. Telephone number
 - D. Age _____; if under 18, do you have consent of parent or guardian? _____
 - E. Are you taking any medication which would cause photosensitivity? _____
 - F. Do you have, or have you had during the past three months, any skin eruption or communicable skin disease? _____
 - G. Are you in any way allergic to the sun? _____
 - H. Are you pregnant? _____
- . Signature of applicant and date of signature

INSPECTIONS

22. Every licensee shall permit the Board of Health or its agents acting in an official capacity to inspect his place of business and his work at any reasonable time.

PERMIT

23. No person shall operate a sun-tanning establishment without a permit from the Board of Health. Application shall be made on a form supplied by the Board of Health. A permit shall be for the calendar year and expire on December 31; the annual permit fee shall be subject to the current fee schedule. A permit is not transferable. The permit shall be displayed in a conspicuous place on the premises.

A permit may be suspended or revoked by the Board of Health for such cause as it

deems sufficient.

PENALTY

24. Any person who shall violate any provision of this regulation for which penalty is not otherwise provided in any of the Massachusetts General Laws shall, upon conviction, be fined not less than ten (10) nor more than five hundred (500) dollars. Each day of violation is a separate violation.

SEVERABILITY

25. If any paragraph, sentence, clause, phrase or word of this regulation shall be declared invalid for any reason whatsoever, the decision shall not affect any other portion of this regulation which shall remain in full force and effect.

Gayton Osgood, Chairman

Francis MacMillan, M.D., Member

John Rizza, D.M.D., Member

